



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0661

Introduced 1/28/2005, by Rep. Karen A. Yarbrough

#### SYNOPSIS AS INTRODUCED:

20 ILCS 105/4.02

from Ch. 23, par. 6104.02

20 ILCS 2405/3

from Ch. 23, par. 3434

Amends the Illinois Act on the Aging and the Disabled Persons Rehabilitation Act. Provides that subject to an increase in the rates paid to chore/housekeeping and homemaker service vendors contracting with the Department on Aging, these service vendors must pay a minimum amount into a fund providing certain health care benefits. Provides that for 2006, minimum funding must equal \$1.40 for each hour of chore/housekeeping and homemaker services performed pursuant to a vendor's contract with the Department. Allows for proportionate increases in subsequent years to reflect changes in the cost of medical services. Requires that the health care fund provide coverage to employees, certain persons under contract with the vendor and providing more than 80 hours of chore/housekeeping or homemaker service per month, and the dependents of these individuals. Provides that if a vendor fails to pay a required amount into the fund, the vendor must pay that amount to the Department. Allows the Department's annual audit to assure that audited vendors are complying with these health care benefit funding provisions. Requires the Department of Human Services under the Disabled Persons Rehabilitation Act to pay an amount into a fund to provide health care coverage for individuals who perform more than 80 hours of preventive services per month. Provides that the amount must equal \$1.40 for each hour of preventive services provided under the program. Makes other changes. Effective immediately.

LRB094 05027 RSP 37174 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Act on the Aging is amended by  
5 changing Section 4.02 as follows:

6 (20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

7 Sec. 4.02. The Department shall establish a program of  
8 services to prevent unnecessary institutionalization of  
9 persons age 60 and older in need of long term care or who are  
10 established as persons who suffer from Alzheimer's disease or a  
11 related disorder under the Alzheimer's Disease Assistance Act,  
12 thereby enabling them to remain in their own homes or in other  
13 living arrangements. Such preventive services, which may be  
14 coordinated with other programs for the aged and monitored by  
15 area agencies on aging in cooperation with the Department, may  
16 include, but are not limited to, any or all of the following:

- 17 (a) home health services;
- 18 (b) home nursing services;
- 19 (c) homemaker services;
- 20 (d) chore and housekeeping services;
- 21 (e) day care services;
- 22 (f) home-delivered meals;
- 23 (g) education in self-care;
- 24 (h) personal care services;
- 25 (i) adult day health services;
- 26 (j) habilitation services;
- 27 (k) respite care;
- 28 (k-5) community reintegration services;
- 29 (l) other nonmedical social services that may enable  
30 the person to become self-supporting; or
- 31 (m) clearinghouse for information provided by senior  
32 citizen home owners who want to rent rooms to or share

1 living space with other senior citizens.

2 The Department shall establish eligibility standards for  
3 such services taking into consideration the unique economic and  
4 social needs of the target population for whom they are to be  
5 provided. Such eligibility standards shall be based on the  
6 recipient's ability to pay for services; provided, however,  
7 that in determining the amount and nature of services for which  
8 a person may qualify, consideration shall not be given to the  
9 value of cash, property or other assets held in the name of the  
10 person's spouse pursuant to a written agreement dividing  
11 marital property into equal but separate shares or pursuant to  
12 a transfer of the person's interest in a home to his spouse,  
13 provided that the spouse's share of the marital property is not  
14 made available to the person seeking such services.

15 Beginning July 1, 2002, the Department shall require as a  
16 condition of eligibility that all financially eligible  
17 applicants and recipients apply for medical assistance under  
18 Article V of the Illinois Public Aid Code in accordance with  
19 rules promulgated by the Department.

20 The Department shall, in conjunction with the Department of  
21 Public Aid, seek appropriate amendments under Sections 1915 and  
22 1924 of the Social Security Act. The purpose of the amendments  
23 shall be to extend eligibility for home and community based  
24 services under Sections 1915 and 1924 of the Social Security  
25 Act to persons who transfer to or for the benefit of a spouse  
26 those amounts of income and resources allowed under Section  
27 1924 of the Social Security Act. Subject to the approval of  
28 such amendments, the Department shall extend the provisions of  
29 Section 5-4 of the Illinois Public Aid Code to persons who, but  
30 for the provision of home or community-based services, would  
31 require the level of care provided in an institution, as is  
32 provided for in federal law. Those persons no longer found to  
33 be eligible for receiving noninstitutional services due to  
34 changes in the eligibility criteria shall be given 60 days  
35 notice prior to actual termination. Those persons receiving  
36 notice of termination may contact the Department and request

1 the determination be appealed at any time during the 60 day  
2 notice period. With the exception of the lengthened notice and  
3 time frame for the appeal request, the appeal process shall  
4 follow the normal procedure. In addition, each person affected  
5 regardless of the circumstances for discontinued eligibility  
6 shall be given notice and the opportunity to purchase the  
7 necessary services through the Community Care Program. If the  
8 individual does not elect to purchase services, the Department  
9 shall advise the individual of alternative services. The target  
10 population identified for the purposes of this Section are  
11 persons age 60 and older with an identified service need.  
12 Priority shall be given to those who are at imminent risk of  
13 institutionalization. The services shall be provided to  
14 eligible persons age 60 and older to the extent that the cost  
15 of the services together with the other personal maintenance  
16 expenses of the persons are reasonably related to the standards  
17 established for care in a group facility appropriate to the  
18 person's condition. These non-institutional services, pilot  
19 projects or experimental facilities may be provided as part of  
20 or in addition to those authorized by federal law or those  
21 funded and administered by the Department of Human Services.  
22 The Departments of Human Services, Public Aid, Public Health,  
23 Veterans' Affairs, and Commerce and Economic Opportunity and  
24 other appropriate agencies of State, federal and local  
25 governments shall cooperate with the Department on Aging in the  
26 establishment and development of the non-institutional  
27 services. The Department shall require an annual audit from all  
28 chore/housekeeping and homemaker vendors contracting with the  
29 Department under this Section. The annual audit shall assure  
30 that each audited vendor's procedures are in compliance with  
31 Department's financial reporting guidelines requiring a 27%  
32 administrative cost split and a 73% employee wages and benefits  
33 cost split. The audit shall assure that each audited vendor is  
34 funding healthcare benefits for their agents and employees as  
35 provided for in this Section. The audit is a public record  
36 under the Freedom of Information Act. The Department shall

1 execute, relative to the nursing home prescreening project,  
2 written inter-agency agreements with the Department of Human  
3 Services and the Department of Public Aid, to effect the  
4 following: (1) intake procedures and common eligibility  
5 criteria for those persons who are receiving non-institutional  
6 services; and (2) the establishment and development of  
7 non-institutional services in areas of the State where they are  
8 not currently available or are undeveloped. On and after July  
9 1, 1996, all nursing home prescreenings for individuals 60  
10 years of age or older shall be conducted by the Department.

11 Chore/housekeeping and homemaker service provider vendors  
12 contracting with the Department under this Section must meet  
13 minimum funding requirements for an appropriate healthcare  
14 fund. For fiscal year 2006, the minimum funding required of a  
15 chore/housekeeping and homemaker service vendor is an amount at  
16 least equal to \$1.40 for each hour of chore/housekeeping and  
17 homemaker service performed pursuant to the vendor's contract  
18 with the Department under this Section. For subsequent fiscal  
19 years, the amount of minimum funding must be adjusted for  
20 changes in the costs of medical services. For years after 2006,  
21 the adjusted amount of minimum funding shall be \$1.40 plus the  
22 result of \$1.40 multiplied by the percentage, if any, by which  
23 the medical component of the Consumer Price Index for the  
24 calendar year in which the fiscal year begins exceeds such  
25 component for calendar year 2005 for each hour of  
26 chore/housekeeping and homemaker services performed pursuant  
27 to the vendor's contract with the Department under this  
28 Section. The moneys owed under this paragraph must be placed  
29 into an appropriate health care fund. "Appropriate health care  
30 fund" means a fund that provides comprehensive health care  
31 coverage to the vendor's (i) employees, (ii) qualified agents,  
32 which for purposes of this paragraph means those agents under  
33 contract with the vendor and providing more than 80 hours of  
34 chore/housekeeping or homemaker services per month, and (iii)  
35 dependents, if any, of any persons qualifying for coverage as  
36 an employee or qualified agent under this paragraph. In the

1 event that the annual audit or other evidence reveals that a  
2 vendor has failed to provide minimum funding for an appropriate  
3 health care fund as required under this paragraph, the  
4 Department may collect the amount owed from the vendor. The  
5 Department must provide 60 days notice prior to an annual  
6 adjustment of the amount owed under this paragraph. This notice  
7 shall be mailed to all chore/housekeeping and homemaker service  
8 provider vendors contracting with the Department under this  
9 Section, return receipt requested, and must state the new  
10 hourly amount required. The requirements of this paragraph are  
11 subject to an increase in the rates paid to chore/housekeeping  
12 and homemaker service provider vendors contracting with the  
13 Department under this Section.

14 The Department is authorized to establish a system of  
15 recipient copayment for services provided under this Section,  
16 such copayment to be based upon the recipient's ability to pay  
17 but in no case to exceed the actual cost of the services  
18 provided. Additionally, any portion of a person's income which  
19 is equal to or less than the federal poverty standard shall not  
20 be considered by the Department in determining the copayment.  
21 The level of such copayment shall be adjusted whenever  
22 necessary to reflect any change in the officially designated  
23 federal poverty standard.

24 The Department, or the Department's authorized  
25 representative, shall recover the amount of moneys expended for  
26 services provided to or in behalf of a person under this  
27 Section by a claim against the person's estate or against the  
28 estate of the person's surviving spouse, but no recovery may be  
29 had until after the death of the surviving spouse, if any, and  
30 then only at such time when there is no surviving child who is  
31 under age 21, blind, or permanently and totally disabled. This  
32 paragraph, however, shall not bar recovery, at the death of the  
33 person, of moneys for services provided to the person or in  
34 behalf of the person under this Section to which the person was  
35 not entitled; provided that such recovery shall not be enforced  
36 against any real estate while it is occupied as a homestead by

1 the surviving spouse or other dependent, if no claims by other  
2 creditors have been filed against the estate, or, if such  
3 claims have been filed, they remain dormant for failure of  
4 prosecution or failure of the claimant to compel administration  
5 of the estate for the purpose of payment. This paragraph shall  
6 not bar recovery from the estate of a spouse, under Sections  
7 1915 and 1924 of the Social Security Act and Section 5-4 of the  
8 Illinois Public Aid Code, who precedes a person receiving  
9 services under this Section in death. All moneys for services  
10 paid to or in behalf of the person under this Section shall be  
11 claimed for recovery from the deceased spouse's estate.  
12 "Homestead", as used in this paragraph, means the dwelling  
13 house and contiguous real estate occupied by a surviving spouse  
14 or relative, as defined by the rules and regulations of the  
15 Illinois Department of Public Aid, regardless of the value of  
16 the property.

17 The Department shall develop procedures to enhance  
18 availability of services on evenings, weekends, and on an  
19 emergency basis to meet the respite needs of caregivers.  
20 Procedures shall be developed to permit the utilization of  
21 services in successive blocks of 24 hours up to the monthly  
22 maximum established by the Department. Workers providing these  
23 services shall be appropriately trained.

24 Beginning on the effective date of this Amendatory Act of  
25 1991, no person may perform chore/housekeeping and homemaker  
26 services under a program authorized by this Section unless that  
27 person has been issued a certificate of pre-service to do so by  
28 his or her employing agency. Information gathered to effect  
29 such certification shall include (i) the person's name, (ii)  
30 the date the person was hired by his or her current employer,  
31 and (iii) the training, including dates and levels. Persons  
32 engaged in the program authorized by this Section before the  
33 effective date of this amendatory Act of 1991 shall be issued a  
34 certificate of all pre- and in-service training from his or her  
35 employer upon submitting the necessary information. The  
36 employing agency shall be required to retain records of all

1 staff pre- and in-service training, and shall provide such  
2 records to the Department upon request and upon termination of  
3 the employer's contract with the Department. In addition, the  
4 employing agency is responsible for the issuance of  
5 certifications of in-service training completed to their  
6 employees.

7 The Department is required to develop a system to ensure  
8 that persons working as homemakers and chore housekeepers  
9 receive increases in their wages when the federal minimum wage  
10 is increased by requiring vendors to certify that they are  
11 meeting the federal minimum wage statute for homemakers and  
12 chore housekeepers. An employer that cannot ensure that the  
13 minimum wage increase is being given to homemakers and chore  
14 housekeepers shall be denied any increase in reimbursement  
15 costs.

16 The Department on Aging and the Department of Human  
17 Services shall cooperate in the development and submission of  
18 an annual report on programs and services provided under this  
19 Section. Such joint report shall be filed with the Governor and  
20 the General Assembly on or before September 30 each year.

21 The requirement for reporting to the General Assembly shall  
22 be satisfied by filing copies of the report with the Speaker,  
23 the Minority Leader and the Clerk of the House of  
24 Representatives and the President, the Minority Leader and the  
25 Secretary of the Senate and the Legislative Research Unit, as  
26 required by Section 3.1 of the General Assembly Organization  
27 Act and filing such additional copies with the State Government  
28 Report Distribution Center for the General Assembly as is  
29 required under paragraph (t) of Section 7 of the State Library  
30 Act.

31 Those persons previously found eligible for receiving  
32 non-institutional services whose services were discontinued  
33 under the Emergency Budget Act of Fiscal Year 1992, and who do  
34 not meet the eligibility standards in effect on or after July  
35 1, 1992, shall remain ineligible on and after July 1, 1992.  
36 Those persons previously not required to cost-share and who



1 were required to cost-share effective March 1, 1992, shall  
2 continue to meet cost-share requirements on and after July 1,  
3 1992. Beginning July 1, 1992, all clients will be required to  
4 meet eligibility, cost-share, and other requirements and will  
5 have services discontinued or altered when they fail to meet  
6 these requirements.

7 (Source: P.A. 92-597, eff. 6-28-02; 93-85, eff. 1-1-04; 93-902,  
8 eff. 8-10-04.)

9 Section 10. The Disabled Persons Rehabilitation Act is  
10 amended by changing Section 3 as follows:

11 (20 ILCS 2405/3) (from Ch. 23, par. 3434)

12 Sec. 3. Powers and duties. The Department shall have the  
13 powers and duties enumerated herein:

14 (a) To co-operate with the federal government in the  
15 administration of the provisions of the federal Rehabilitation  
16 Act of 1973, as amended, of the Workforce Investment Act of  
17 1998, and of the federal Social Security Act to the extent and  
18 in the manner provided in these Acts.

19 (b) To prescribe and supervise such courses of vocational  
20 training and provide such other services as may be necessary  
21 for the habilitation and rehabilitation of persons with one or  
22 more disabilities, including the administrative activities  
23 under subsection (e) of this Section, and to co-operate with  
24 State and local school authorities and other recognized  
25 agencies engaged in habilitation, rehabilitation and  
26 comprehensive rehabilitation services; and to cooperate with  
27 the Department of Children and Family Services regarding the  
28 care and education of children with one or more disabilities.

29 (c) (Blank).

30 (d) To report in writing, to the Governor, annually on or  
31 before the first day of December, and at such other times and  
32 in such manner and upon such subjects as the Governor may  
33 require. The annual report shall contain (1) a statement of the  
34 existing condition of comprehensive rehabilitation services,

1 habilitation and rehabilitation in the State; (2) a statement  
2 of suggestions and recommendations with reference to the  
3 development of comprehensive rehabilitation services,  
4 habilitation and rehabilitation in the State; and (3) an  
5 itemized statement of the amounts of money received from  
6 federal, State and other sources, and of the objects and  
7 purposes to which the respective items of these several amounts  
8 have been devoted.

9 (e) (Blank).

10 (f) To establish a program of services to prevent  
11 unnecessary institutionalization of persons with Alzheimer's  
12 disease and related disorders or persons in need of long term  
13 care who are established as blind or disabled as defined by the  
14 Social Security Act, thereby enabling them to remain in their  
15 own homes or other living arrangements. Such preventive  
16 services may include, but are not limited to, any or all of the  
17 following:

- 18 (1) home health services;
- 19 (2) home nursing services;
- 20 (3) homemaker services;
- 21 (4) chore and housekeeping services;
- 22 (5) day care services;
- 23 (6) home-delivered meals;
- 24 (7) education in self-care;
- 25 (8) personal care services;
- 26 (9) adult day health services;
- 27 (10) habilitation services;
- 28 (11) respite care; or
- 29 (12) other nonmedical social services that may enable  
30 the person to become self-supporting.

31 The Department shall establish eligibility standards for  
32 such services taking into consideration the unique economic and  
33 social needs of the population for whom they are to be  
34 provided. Such eligibility standards may be based on the  
35 recipient's ability to pay for services; provided, however,  
36 that any portion of a person's income that is equal to or less

1 than the "protected income" level shall not be considered by  
2 the Department in determining eligibility. The "protected  
3 income" level shall be determined by the Department, shall  
4 never be less than the federal poverty standard, and shall be  
5 adjusted each year to reflect changes in the Consumer Price  
6 Index For All Urban Consumers as determined by the United  
7 States Department of Labor. Additionally, in determining the  
8 amount and nature of services for which a person may qualify,  
9 consideration shall not be given to the value of cash, property  
10 or other assets held in the name of the person's spouse  
11 pursuant to a written agreement dividing marital property into  
12 equal but separate shares or pursuant to a transfer of the  
13 person's interest in a home to his spouse, provided that the  
14 spouse's share of the marital property is not made available to  
15 the person seeking such services.

16 The services shall be provided to eligible persons to  
17 prevent unnecessary or premature institutionalization, to the  
18 extent that the cost of the services, together with the other  
19 personal maintenance expenses of the persons, are reasonably  
20 related to the standards established for care in a group  
21 facility appropriate to their condition. These  
22 non-institutional services, pilot projects or experimental  
23 facilities may be provided as part of or in addition to those  
24 authorized by federal law or those funded and administered by  
25 the Illinois Department on Aging.

26 Personal care attendants shall be paid:

27 (i) A \$5 per hour minimum rate beginning July 1, 1995.

28 (ii) A \$5.30 per hour minimum rate beginning July 1,  
29 1997.

30 (iii) A \$5.40 per hour minimum rate beginning July 1,  
31 1998.

32 Solely for the purposes of coverage under the Illinois  
33 Public Labor Relations Act (5 ILCS 315/), personal care  
34 attendants and personal assistants providing services under  
35 the Department's Home Services Program shall be considered to  
36 be public employees and the State of Illinois shall be

1 considered to be their employer as of the effective date of  
2 this amendatory Act of the 93rd General Assembly, but not  
3 before. The State shall engage in collective bargaining with an  
4 exclusive representative of personal care attendants and  
5 personal assistants working under the Home Services Program  
6 concerning their terms and conditions of employment that are  
7 within the State's control. Nothing in this paragraph shall be  
8 understood to limit the right of the persons receiving services  
9 defined in this Section to hire and fire personal care  
10 attendants and personal assistants or supervise them within the  
11 limitations set by the Home Services Program. The State shall  
12 not be considered to be the employer of personal care  
13 attendants and personal assistants for any purposes not  
14 specifically provided in this amendatory Act of the 93rd  
15 General Assembly, including but not limited to, purposes of  
16 vicarious liability in tort and purposes of statutory  
17 retirement or health insurance benefits. Personal care  
18 attendants and personal assistants shall not be covered by the  
19 State Employees Group Insurance Act of 1971 (5 ILCS 375/).

20 The Department shall pay an amount into a health care fund  
21 jointly administered by the Department and the exclusive  
22 representative under the Illinois Public Labor Relations Act  
23 or, if no such representative exists, the representatives of  
24 the individuals that perform those services. For fiscal year  
25 2006, the amount must equal \$1.40 for each hour of preventive  
26 services provided under this Section. For subsequent fiscal  
27 years, the amount of minimum funding must be adjusted for  
28 changes in the costs of medical services. For years after 2006,  
29 the adjusted amount of minimum funding shall be \$1.40 plus the  
30 result of \$1.40 multiplied by the percentage, if any, by which  
31 the medical component of the Consumer Price Index for the  
32 calendar year in which the fiscal year begins exceeds such  
33 component for calendar year 2005 for each hour of preventive  
34 services provided under this Section. The Department must use  
35 the moneys in the fund to provide comprehensive health care  
36 coverage for all individuals that perform more than 80 hours of

1 preventative services per month. If such an individual has  
2 dependents, the comprehensive health care coverage provided by  
3 the Department under this Section must also extend to those  
4 dependents.

5 The Department shall execute, relative to the nursing home  
6 prescreening project, as authorized by Section 4.03 of the  
7 Illinois Act on the Aging, written inter-agency agreements with  
8 the Department on Aging and the Department of Public Aid, to  
9 effect the following: (i) intake procedures and common  
10 eligibility criteria for those persons who are receiving  
11 non-institutional services; and (ii) the establishment and  
12 development of non-institutional services in areas of the State  
13 where they are not currently available or are undeveloped. On  
14 and after July 1, 1996, all nursing home prescreenings for  
15 individuals 18 through 59 years of age shall be conducted by  
16 the Department.

17 The Department is authorized to establish a system of  
18 recipient cost-sharing for services provided under this  
19 Section. The cost-sharing shall be based upon the recipient's  
20 ability to pay for services, but in no case shall the  
21 recipient's share exceed the actual cost of the services  
22 provided. Protected income shall not be considered by the  
23 Department in its determination of the recipient's ability to  
24 pay a share of the cost of services. The level of cost-sharing  
25 shall be adjusted each year to reflect changes in the  
26 "protected income" level. The Department shall deduct from the  
27 recipient's share of the cost of services any money expended by  
28 the recipient for disability-related expenses.

29 The Department, or the Department's authorized  
30 representative, shall recover the amount of moneys expended for  
31 services provided to or in behalf of a person under this  
32 Section by a claim against the person's estate or against the  
33 estate of the person's surviving spouse, but no recovery may be  
34 had until after the death of the surviving spouse, if any, and  
35 then only at such time when there is no surviving child who is  
36 under age 21, blind, or permanently and totally disabled. This

1 paragraph, however, shall not bar recovery, at the death of the  
2 person, of moneys for services provided to the person or in  
3 behalf of the person under this Section to which the person was  
4 not entitled; provided that such recovery shall not be enforced  
5 against any real estate while it is occupied as a homestead by  
6 the surviving spouse or other dependent, if no claims by other  
7 creditors have been filed against the estate, or, if such  
8 claims have been filed, they remain dormant for failure of  
9 prosecution or failure of the claimant to compel administration  
10 of the estate for the purpose of payment. This paragraph shall  
11 not bar recovery from the estate of a spouse, under Sections  
12 1915 and 1924 of the Social Security Act and Section 5-4 of the  
13 Illinois Public Aid Code, who precedes a person receiving  
14 services under this Section in death. All moneys for services  
15 paid to or in behalf of the person under this Section shall be  
16 claimed for recovery from the deceased spouse's estate.  
17 "Homestead", as used in this paragraph, means the dwelling  
18 house and contiguous real estate occupied by a surviving spouse  
19 or relative, as defined by the rules and regulations of the  
20 Illinois Department of Public Aid, regardless of the value of  
21 the property.

22 The Department and the Department on Aging shall cooperate  
23 in the development and submission of an annual report on  
24 programs and services provided under this Section. Such joint  
25 report shall be filed with the Governor and the General  
26 Assembly on or before March 30 each year.

27 The requirement for reporting to the General Assembly shall  
28 be satisfied by filing copies of the report with the Speaker,  
29 the Minority Leader and the Clerk of the House of  
30 Representatives and the President, the Minority Leader and the  
31 Secretary of the Senate and the Legislative Research Unit, as  
32 required by Section 3.1 of the General Assembly Organization  
33 Act, and filing additional copies with the State Government  
34 Report Distribution Center for the General Assembly as required  
35 under paragraph (t) of Section 7 of the State Library Act.

36 (g) To establish such subdivisions of the Department as

1 shall be desirable and assign to the various subdivisions the  
2 responsibilities and duties placed upon the Department by law.

3 (h) To cooperate and enter into any necessary agreements  
4 with the Department of Employment Security for the provision of  
5 job placement and job referral services to clients of the  
6 Department, including job service registration of such clients  
7 with Illinois Employment Security offices and making job  
8 listings maintained by the Department of Employment Security  
9 available to such clients.

10 (i) To possess all powers reasonable and necessary for the  
11 exercise and administration of the powers, duties and  
12 responsibilities of the Department which are provided for by  
13 law.

14 (j) To establish a procedure whereby new providers of  
15 personal care attendant services shall submit vouchers to the  
16 State for payment two times during their first month of  
17 employment and one time per month thereafter. In no case shall  
18 the Department pay personal care attendants an hourly wage that  
19 is less than the federal minimum wage.

20 (k) To provide adequate notice to providers of chore and  
21 housekeeping services informing them that they are entitled to  
22 an interest payment on bills which are not promptly paid  
23 pursuant to Section 3 of the State Prompt Payment Act.

24 (l) To establish, operate and maintain a Statewide Housing  
25 Clearinghouse of information on available, government  
26 subsidized housing accessible to disabled persons and  
27 available privately owned housing accessible to disabled  
28 persons. The information shall include but not be limited to  
29 the location, rental requirements, access features and  
30 proximity to public transportation of available housing. The  
31 Clearinghouse shall consist of at least a computerized database  
32 for the storage and retrieval of information and a separate or  
33 shared toll free telephone number for use by those seeking  
34 information from the Clearinghouse. Department offices and  
35 personnel throughout the State shall also assist in the  
36 operation of the Statewide Housing Clearinghouse. Cooperation

1 with local, State and federal housing managers shall be sought  
2 and extended in order to frequently and promptly update the  
3 Clearinghouse's information.

4 (m) To assure that the names and case records of persons  
5 who received or are receiving services from the Department,  
6 including persons receiving vocational rehabilitation, home  
7 services, or other services, and those attending one of the  
8 Department's schools or other supervised facility shall be  
9 confidential and not be open to the general public. Those case  
10 records and reports or the information contained in those  
11 records and reports shall be disclosed by the Director only to  
12 proper law enforcement officials, individuals authorized by a  
13 court, the General Assembly or any committee or commission of  
14 the General Assembly, and other persons and for reasons as the  
15 Director designates by rule. Disclosure by the Director may be  
16 only in accordance with other applicable law.

17 (Source: P.A. 92-84, eff. 7-1-02; 93-204, eff. 7-16-03.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.